

 <p><b>St Mary's Catholic High School</b></p>	<b>Policy No: SP4</b>	Revision No:	1
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	<b>Speaking Out Confidential Reporting Code/Whistleblowing Policy</b>	Minute No:	13.11.19.11.01
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*Gaudium et Spes*

*“Live, Love and Learn in the Light of Christ”*

## **1 Introduction**

- 1.1 Confidential reporting is the disclosure or communication of information about possible malpractice by individuals or organisations. Disclosure can be either internal within the organisation or external to an outside authority
- 1.2 This confidential reporting code is intended to enable employees to disclose information about malpractice internally and to provide employees with protection from subsequent victimisation, discrimination or disadvantage. This will assist in detecting and deterring malpractice and, by demonstrating St Mary's Catholic High School's accountability, maintain public confidence and the School's good reputation.

## **2 Purpose**

- 2.1 Employees are often the first to realise that there may be evidence of malpractice within our School. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the School. They may also fear harassment or victimisation
- 2.2 In line with St Mary's Catholic High School's commitment to high standards of openness, integrity and accountability, the Headteacher expects employees who have reasonable belief that malpractice is taking place within the School to come forward and voice those concerns internally. This may be an awareness of suspected irregularity, wrongdoing or a failure of standards. This code provides the means for employees to make such disclosures.
- 2.3 An employee's concerns about malpractice may include a reasonable belief that one or more of the following has occurred or is likely to occur:
- Conduct which is an offence or a breach of law
  - Miscarriages of justice
  - Health and safety risks, including risks to the public as well as other employees
  - Damage to the environment
  - The unauthorised use of public funds
  - Fraud and corruption
  - Sexual or physical abuse of pupils
  - Other unethical conduct
  - If in doubt please feel able to use the following confidential advice lines:  
NSPCC Whistleblowing Helpline 08000280285 - Children  
The Whistleblowing Charity Advice call 02074046609 - Adults
- 2.4 Under this code employees should make disclosures about possible malpractice to:
- The Headteacher
  - Where this inappropriate, the Chair of Governors
  - Where both of these are inappropriate, the Director of the Schools' Commission for the Diocese of Hallam (Diocesan Pastoral Centre, St Charles Street, Sheffield S9 3WU. 01142 566440)
  - Where all three of these are inappropriate, the Secretary of State for Education.

It is recognised that most cases will have to proceed on a confidential basis.

- 2.5 It is in the interests of all parties that disclosures are dealt with properly, quickly and discreetly. The overriding consideration for the Headteacher and the employee is that it would be in the public interest for any malpractice found to be corrected and, where appropriate, sanctions applied.
- 2.6 The code provides employees with a procedure to make disclosures of irregularity or wrongdoing without fear of adverse treatment as a result. St Mary's Catholic High School will not tolerate any harassment or victimisation of employees making disclosures (including informal pressures) and will take action to protect employees when they make a disclosure in good faith.
- 2.7 The code addresses major concerns that fall outside the scope of other procedures and where the interests of others or of St Mary's Catholic High School are at risk. It has been developed within the following legislative and policy framework.

It takes into account the requirements of the Public Interest Disclosure Act 1998

It is complementary to our School's Staff Code of Conduct which makes clear the standards of propriety and good practice expected of employees.

It is complementary to our School's Discipline, Grievance and Harassment Procedures. Together they form a framework which allows employees to be disciplined, to seek personal redress, to raise personal complaint and to disclose malpractice where appropriate.

The code is in addition to St Mary's Catholic High School's complaints procedures and other reporting procedures, for example child protection procedures

### **3 Scope**

- 3.1 This code applies to all employees in St Mary's Catholic High School. It is also applicable to:
- Contractors working for our School on School premises, for example, agency, staff, builders, drivers.
  - Suppliers and those providing services under a contract with our School in their own premises.

## **4 Procedure for Making A Disclosure**

### **4.1 Introduction**

- 4.1.1 This code provides a procedure for making disclosures internally about suspected wrongdoing, irregularity or a failure of standards within St Mary's Catholic High School. Its aims are:
- To encourage confidence in the raising of serious concerns and a structure to question and act upon concerns about possible malpractice within St Mary's Catholic High School.
  - To provide a means to disclose those concerns, and an awareness of how to pursue them further if not satisfied.
  - To provide reassurance about protection from possible reprisals or victimisation and from subsequent discrimination or disadvantage.

4.1.2 Any serious concerns about an aspect of service provision or the conduct of employees or Governors of St Mary's Catholic High School or others acting on behalf of our School can be reported under this code. This may be about something that:

- Makes one feel uncomfortable in terms of known standards, experience, or the standards to which you believe our School subscribes
- Is against our School's policies
- Falls below established standards of practice
- Amounts to improper conduct

Examples of these are given in paragraph 2.3.

## **4.2 Confidentiality**

4.2.1 All disclosures will be treated in confidence and wherever possible, every effort will be made to respect confidentiality. However every support will be afforded to those who come forward as witnesses.

## **4.3 Anonymous Disclosures**

4.3.1 Disclosures made anonymously may be considered at the discretion of our School, but it is extremely helpful to have a name in case further information is required.

4.3.2 In exercising its discretion, our School will take into account:

- The seriousness of the issue raised
- The credibility of the disclosure
- The likelihood of confirming what is alleged from attributable sources.

## **4.4 Untrue Disclosures**

4.4.1 If a disclosure is made in good faith, but it is not confirmed by the investigation, no action will be taken against the person making the disclosure. If however, the allegation is frivolous malicious or for personal gain, it may be subject to disciplinary action.

## **4.5 Employee Action**

4.5.1 The first step is to raise the concerns with the Headteacher. If it is believed that the Headteacher is involved, one should approach the Chair of Governors. This depends however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. If it is believed that the Headteacher and Chair of Governors are involved, the Schools' Commission for the Diocese of Hallam shall be approached.

4.5.2 One may raise concerns either verbally or in writing. The earlier the concern is expressed, the easier it is to take action. The following should be provided:

- Details of concerns, including the nature, dates and location of any relevant incidents.
- Reasons for this concern.

4.5.3 Although one is not expected to prove beyond doubt the truth of an allegation, one will need to demonstrate to the person contacted that there are reasonable grounds for concern.

4.5.4 It may be useful to consider discussing concerns with a colleague first and one may find it easier to raise the matter if there are two (or more) who have had the same experience or concerns. One may also discuss concerns with a trade union representative on the staff of St Mary's Catholic High School.

- 4.5.5 One may invite a trade union or other representative to be present during any meetings or interviews in connection with the concerns raised.
- 4.5.6 The amount of contact with the person considering the issues will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, the School will seek further information.

#### **4.6 Action Taken by the School**

- 4.6.1 St Mary's Catholic High School will respond to the disclosure. Where appropriate, the matters raised may be:
- a. Investigated by management, by internal audit, or through disciplinary process;
  - b. referred to the Diocese;
  - c. referred to the Police;
  - d. referred to the external auditor;
  - e. the subject of an independent inquiry.
- 4.6.2 In order to protect individuals and those accused of possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form should it take. The over-riding principle the School will have in mind is the public interest. Disclosures for which there are other specific procedures (for example, child protection or discrimination issues) will normally be referred for consideration under those procedures.
- 4.6.3 Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required, this will be taken before any action investigation is conducted.
- 4.6.4 Within 10 working days of a concern being raised, a response will be made:
- a. acknowledging that the concern has been received;
  - b. explaining whether any initial enquiries have been made;
  - c. indicating how the matter is going to be dealt with;
  - d. giving an estimate of how long it will take to provide a final response;
  - e. supplying information on staff support mechanisms;
  - f. explaining why if there is to be no further investigation.
- 4.6.5 St Mary's Catholic High School will take steps to minimise any difficulties you may experience as a result of making a disclosure. For instance, for any one required to give evidence in criminal or disciplinary proceedings the School will arrange advice about the procedure.

#### **4.7 How the Matter Can Be Taken Further**

- 4.7.1 This code is intended to provide a route within the School to make disclosures of malpractice. The School hopes one will be satisfied with any action taken. If not, and one believes the information you have disclosed is substantially true, possible contact points are:
- Public Concern at Work
  - The external auditor
  - Your Trade Union
  - Your local Citizens Advice Bureau
  - Relevant professional bodies or regulatory organisations
  - A relevant voluntary organisation
  - The Police
- 4.7.2 If one takes the matter outside St Mary's Catholic High School, one should ensure that one does not disclose confidential information. Check with the person dealing with the disclosure within our School before divulging any information.